

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA
3 OAKLAND DIVISION
4

5 **JORGE AYALA,**

11-CV-05708-YGR

6
7 Petitioner, **JUDGMENT**

8 **v.**

9 **GREG LEWIS, Warden,**

10 Respondent.
11

12 For the reasons set forth in this Court's Order Granting Petition for Writ of Habeas Corpus
13 and Remanding Case for New Trial,

14 **IT IS ORDERED AND ADJUDGED**

15 That petitioner Jorge Ayala's Petition for Writ of Habeas Corpus is **GRANTED**. The matter
16 is **REMANDED** to the Superior Court for the County of Santa Clara, State of California, for a **NEW**
17 **TRIAL**. Respondent shall release petitioner unless the state commences proceedings to retry him
18 within ninety (90) days of this order. This Court retains jurisdiction to review compliance with its
19 order. Each party bear shall its own costs of action.

20 The Clerk shall send a copy of this order to petitioner, petitioner's attorney, and
21 respondent. Respondent shall file a report on the status of this action when it commences
22 criminal proceedings against petitioner, or within sixty (60) days from the date of this order,
23 whichever occurs earlier.

24 **IT IS SO ORDERED.**

25
26 Dated: October 11, 2017

27 
28 YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE